



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

OCT 16 2014

Dr. David Gade  
U.S. Army Corp of Engineers  
Environmental Technical Services Branch  
Regional Planning & Environmental Center  
1645 S. 101<sup>st</sup> E. Avenue  
Tulsa, OK 74128

Dear Dr. Gade,

RE: Review of Final Programmatic Environmental Impact Statement for the Removal and Disposal of Sediment and Restoration of Water Storage at John Redmond Dam and Reservoir, Coffey County, KS

The U.S. Environmental Protection Agency has reviewed the Final Programmatic Environmental Statement for the John Redmond Lake Reallocation of Water Supply Storage. Our review is provided pursuant to the National Environmental Policy Act 42 U.S.C. 4231, Council on Environmental Quality regulations on 40 C.F.R. Parts 1500-1508 and Section 309 of the Clean Air Act. The FPEIS was assigned the CEQ number 20140268.

EPA rated the Draft PEIS as EC-2 (Environmental Concerns-Insufficient Information). This rating was based on the absence of thorough, comprehensive information regarding Cumulative Impacts, as well as a lack of inclusion of pertinent and relevant information surrounding water quality and TMDL items.

EPA has reviewed the Corps responses to our comments on the DPEIS. We believe that the suggestions and concerns that were presented in our DPEIS comment letter of May 27, 2014, have been adequately addressed in the FPEIS. EPA thanks you for addressing these observations and recommendations. Also, the Corps efforts to organize all responses to comments in a concise manner in Table 1-2 and associated references was very helpful; we appreciate this level of clarity. We also commend your ongoing discussions and communication with the relevant agencies for any recommended best management practices, mitigation or avoidance measures, and necessary permit acquisition.

In our comments on the DPEIS we recommended that the FPEIS address the absence of water quality and TMDL data and other relevant water quality conditions. EPA has reviewed the information provided in Sections 3.2.2 Lake Sediment, 3.3.3 Surface Water and 4.3 Hydrology and Water Resources and has no additional comments.

Regarding Cumulative Impacts, our comments on the DPEIS included recommendations to revise the cumulative impacts discussions to address future and ongoing actions related to the sediment removal



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and storage that may impact resources, currently and beyond the initial temporal scope of this document. EPA notes that Section 4.12 Cumulative Impacts has been updated and adequately addresses and expands the discussion on cumulative impacts related to current and future CRF storage locations, as well as also addressing the cumulative impacts of the related John Redmond Reservoir water storage reallocation and pool rise action and the proposed action of this document. As such, EPA has no further comments related to cumulative impacts discussions.

While not specific solely to cumulative impacts, EPA appreciates the clarification of the period of analysis for the three temporal stages in Sections 1.3 Period of Analysis and 4.12 Cumulative Impacts, and agrees with the Corps' assertion that additional activities outside of the initial round of analyses should be reviewed in future NEPA documentation, tiered or otherwise, as these activities may warrant a more robust assessment of project specific impacts. Particularly, additional NEPA documentation specific to the dewatering and remediation of the three initial CDF Sites A, B, and E; the removal and disposal of 2.4 million cubic yards of additional sediment; and the necessity of an additional 2,000 acres of CDF sites should be reviewed in additional NEPA documentation.

The only comment we would like to offer specific to the FPEIS is regarding an alternative that may be evaluated during the permitting processing. Section 4.3 Hydrology & Water Resources states that the return of effluent back to John Redmond Reservoir may be evaluated as an alternative, and that this would require an addition 15,000 feet of pipeline and the installation of a 500 HP 18" booster pump, which would require approximately 500 gallons of fuel per day to operate. This action would require an additional crossing of the Neosho River, and because the return water is defined as a discharge of dredged material by 33 CFR 323.3(d), authorization from USACE Operations Division is necessary. EPA would recommend that BMPs be thoroughly considered and utilized as appropriate, particularly in regards to the stream crossing of the Neosho River. Kansas Department of Health and Environment has classified portions of the Neosho River as special aquatic life-use waters, which indicates that these waters contain unique habitat types and biota, or species that are listed as threatened or endangered in Kansas. There are areas designated as critical for the state and federally-listed Neosho Madtom that may be within the project area, and several Mussel species may be present within the project area as well. If any further notices, review periods or documents regarding this alternative are produced, EPA would request that we be notified and provided with said documents.

Thank you for the opportunity to review and provide comments for this project and your FPEIS. We would like to request that the Corps provide specific responses in the Record of Decision to our comments outlined above. We also request that the Corps provide a signed copy of the ROD to EPA Region 7. Should you have any questions or concerns, please feel free to contact me at 913-551-7565 or via email at [tucker.amber@epa.gov](mailto:tucker.amber@epa.gov).

Sincerely,



Amber Tucker  
NEPA Reviewer